

**7.1.17 ARREST – PRIVATE PERSONS**

A "Private Person's Arrest Report" (PD Form 4100.021) will be completed and signed by any person making such an arrest. The Private Person's Arrest Report will accompany the regular arrest report or misdemeanor citation completed by the officer taking custody of the arrestee.

All officers called to take custody of an individual who has been arrested by a private person shall ascertain that:

- Such arrest is lawful and at the time of taking into police custody, the officer had reasonable cause to believe such arrest was lawful, or
- Such arrest is made pursuant to a charge made, upon reasonable cause, of the commission of a felony by the person to be arrested, or
- Such arrest is made pursuant to the requirements of Penal Code Section 837 (Circumstances Authorizing Arrests by Private Persons)

If it is determined the citizen's arrest meets the above criteria, the officer shall:

- Explain the Private Person's Arrest Report to the person making the arrest and have them complete and sign the form
- Take the arrestee into custody and complete an arrest report as with any other arrest
- The arrest report and Private Person's Arrest Report will be fastened together and forwarded to the Records Section for processing

If in the case of a felony, the private person refuses to sign the form and there appears to the police officer to be sufficient probable cause to arrest the prisoner, the officer should take the prisoner into custody. Write "refused to sign" on the line for the signature of the arresting party. The circumstances surrounding the refusal to sign should be included in the body of the officer's arrest report.